

EXHIBIT 7

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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IN RE GOOGLE PLAY STORE Case No.
ANTITRUST LITIGATION 3:21-md-02981-JD

THIS DOCUMENT RELATES TO:
Epic Games Inc. v. Google LLC, et al.,
Case No: 3:20-cv-05671-JD

In re Google Play Consumer
Antitrust Litigation,
Case No: 3:20-cv-05761-JD

In re Google Play Developer
Litigation,
Case No: 3:20-cv-05792-JD

State of Utah, et al.,
v. Google LLC, et al.,
Case No: 3:21-cv-05227-JD

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REMOTE VIDEOTAPED DEPOSITION BY VIRTUAL ZOOM OF
MICHAEL MARCHAK
Wednesday, January 12, 2022
Volume 1 (Pages 1-358)

Reported By: Lynne Ledanois, CSR 6811

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1 MS. CHIU: Good morning.

2 This is Michelle Park Chiu from
3 Morgan Lewis & Bockius on behalf
4 of defendants Google. Also with
5 me is Nina Dutta and Alex Zbrozek.

6 VIDEOGRAPHER: Thank you.
7 Would the court reporter please
8 swear in the witness.

9
10 MICHAEL MARCHAK,
11 having been duly sworn, testified as follow

12 EXAMINATION

13 BY MS. SWEENEY:

14 Q Good morning, Mr. Marchak.

15 A Good morning.

16 Q As you heard, I am an
17 attorney for the developer class
18 plaintiffs. And the way we're doing
19 these depositions is one attorney for
20 one plaintiff group will take the
21 first set of questions and then I will
22 I'll pass you off to my co-counsel.

23 Is that okay?

24 A Yes.

25 Q Okay. And are you

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1 represented by counsel today?

2 A Yes.

3 Q Okay. And that's Ms. Chiu?

4 A Yes, I believe so.

5 Q Okay. And have you ever
6 been deposed before?

7 A No.

8 Q Okay. I know that you've
9 probably gone over this with your
10 counsel. But just as a reminder, you
11 understand that everything you say
12 today is under penalty of perjury, so
13 you have to tell the truth?

14 A I do.

15 Q Is there any reason why you
16 cannot give complete and truthful
17 testimony today?

18 A No.

19 Q And as you can tell, the
20 whole proceeding is being recorded and
21 the court reporter is taking down
22 every word that I say and every word
23 that you say.

24 So in order to make her life
25 easier, it's important that we not

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1 one of the things of building
2 ecosystem, I think when we've gotten
3 users and developers to invest, they
4 will be able to make money.

5 Q Below these bullet points on
6 the same page of this slide deck it
7 says, "Goal is to identify short-term
8 commercial programs that can mitigate
9 these risks."

10 Do you see that?

11 A I do.

12 Q And was it around this time
13 that Google developed Project Hug?

14 MS. CHIU: Object to form.

15 THE WITNESS: Project Hug,
16 which we now refer to as Games
17 Velocity Program.

18 I think it started in 2019.

19 But it may be around this time
20 generally.

21 BY MS. SWEENEY:

22 Q Was that one of the
23 commercial programs that Google
24 engaged in in order to address the
25 risks posed that are reflected in this

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1 bullet point -- in these bullet
2 points?

3 MS. CHIU: Object to form.

4 THE WITNESS: I don't know.

5 I don't really recall this deck.

6 BY MS. SWEENEY:

7 Q Well, aside from the deck,
8 are you familiar with Project Hug?

9 A I am.

10 Q Okay. And do you know --
11 I'm sorry, I think you answered that
12 you thought it started some time
13 around 2019?

14 A I believe so, that's my
15 recollection.

16 Q Was Project Hug a commercial
17 program in response to risks of
18 certain developers launching off Play?

19 MS. CHIU: Object to form.

20 THE WITNESS: Project Hug
21 was a commercial program with the
22 goals of ensuring users had access
23 to the best games content and our
24 game developers are getting the
25 most value from Google Play or

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1 from Google.

2 BY MS. SWEENEY:

3 Q And you can't have the most
4 games and content if developers of
5 those great games and content launch
6 off Play; right?

7 A It would be users would have
8 access to that content, so, yes,
9 that's correct.

10 Q So is your answer yes, that
11 Hug was in part a response to the risk
12 that developers would launch their
13 products off Play?

14 MS. CHIU: Object to form.

15 THE WITNESS: Again, I think
16 the way I always viewed it and
17 continue to view it is it's about
18 making sure users have access to
19 content and ensuring that
20 developers are getting the most
21 value from their relationship with
22 Google and Google Play.

23 BY MS. SWEENEY:

24 Q Well, aside from how you
25 view it, can you just answer my